

Noelle Hunter, PhD

Director

International Child Abduction Prevention and Research Office (ICAPRO)

U.S. House Committee on Foreign Affairs

Subcommittee on Global Health, Global Human Rights, and International Organizations

May 23, 2023

Rayburn 2200

Thank you, Mr. Chairman, Mr. Vice Chairman and members of the committee for this opportunity. It has been my honor over nearly a decade to come before you and this distinguished committee to be the voice for children and families. I have felt weighty privilege of speaking for so many parents who have looked to you, looked to Congress, for leadership and oversight to require the State Department, the Justice Department, the Department of Homeland Security and all of their respective agencies charged with this issue, to enforce the laws concerning international parental child abduction, kidnapping and wrongful retention of American children held abroad.

I am the director of the International Parental Child Abduction Research and Prevention Office at the University of Alabama in Huntsville. I'm president emeritus and co-founder of iStand Parent Network. And I'm a survivor, like my daughter, Muna, who was kidnapped by her father to Mali, West Africa, in 2011. She was only four years old. Despite some initial delays, I soon had court orders for her return, and cases with the FBI, the Department of State's Office of Children's Issues, and the National Center for Missing and Exploited Children. My experiences with all of these agencies was exceptional, responsive and accomplished the goal.

Unfortunately, this is not most parents' experience, since most parents find that the return of their children is subordinated to not making the international community uncomfortable. Mali initially showed no interest in working with me and our government to return Muna. That changed in November 2012, the day I staged a protest in front of the Mali Embassy here in Washington and subsequently engaged my congressional delegation, which includes Majority Leader Mitch McConnell, Senator Rand Paul, and Chairman Harold Rogers. I am grateful that Muna's case became very personal to Chairman Rogers and Senator McConnell in particular, and they consistently engaged with the Departments of State and Justice and Malian officials in Washington and Bamako. Representatives of that nation were called to the Hill to give account for why this American child remained separated from her mother, sisters, and family.

Chairman Rogers raised our case directly with former Secretary of State John Kerry during an appropriations hearing. Senator McConnell progressively escalated his interactions with Mali while receiving regular updates from the State Department. I was reunited with my daughter in 2014, and we were blessed to have benefited from a whole-of-government response, which is the only reason why Muna is home today.

I've recently come to know John Sichi. John's two small children were abducted from San Francisco to South Korea in 2019, and have not yet been returned to California. They were both toddlers at the time of the abduction; his son wasn't quite three years old, and his daughter had just turned one. Despite receiving a finalized Korean Supreme Court Hague return order in February 2022, he hasn't been permitted to see children at all. His children have been cut off from him, and the lifelong emotional damage being done to them day by day is immense.

Since last October John has staged a public protest in Seoul, walking for hours on a portable treadmill, demonstrating the plight of every left-behind parent who is trying and trying to reach their children, doing everything they can, but not getting anywhere. Even the Korean public and media are sympathetic and supportive of my quest, yet the Korean government has shown little regard for the Hague return order or his daily demonstration for his children. Our nation has twice cited this Hague partner for noncompliance, including this year.

What I find remarkable and inspiring is that John has walked nearly 600 kilometers on the treadmill, and people often ask him how he manages to keep going day after day. His answer is always the same: how could he give up when my kids need help? This is the question that parents of internationally abducted children ask and answer every day. The impact of this visceral metaphor cannot be understated. I hope we are now thinking about John and all parents who are on this "treadmill"-- exerting all of their heart, energy, time, money, and resources-- without their children coming home.

When I first learned of John's story I was first filled with admiration at the way he seeks to illustrate his case, as I was also very creative in my public demonstrations on the Mission4Muna, but that admiration quickly gave way to sorrow, empathy and frustration at his experience, and so many other parents like him. John's Sichi's 'treadmill experience' embodies those of too many other parents whom I come into contact with in the 10 years that our voluntary nonprofit, iStand Parent Network has been in existence.

Those experiences stand in stark contrast with my whole-of-government response leading to my daughter's return. Then and now, people on two continents were quite clear about the relative strength of the U.S. government to help me reunite with my daughter. I'm not the only

one. Alissa Zagaris is in the audience today. Alissa returned her son, Leo, home from wrongful retention in Greece in March 2013, after 20 months of alienation and separation, through fierce parent devotion and strong governmental response.

Alissa is sitting next to Samina Rahman and her son Abadallah. This is a special day, Mr. Chairman, because this is the first time Alissa and long-time advocates like myself have met Abdallah. Because Samina was on the treadmill for 9.5 years. From April 2013 to December 2023, she was on the treadmill while the United States and India traded hollow niceties about resolving abductions. Over nearly a decade, she watched India get pass after pass, demarche after hollow demarche, and watched that nation race unfettered to the top 5 rankings for destination countries of abduction.

In the end, Abdallah is home through a voluntary return, not the hundreds of thousands of dollars that his mother expended in U.S. and Indian courts; not through a scam for which she and other parents were bilked of precious resources by someone who knew exactly how to exploit the still-fragmented, post-Goldman Act inefficiencies in U.S. systems; and certainly not through the help of her own government. Samina is sitting with her son here today because of indefatigable mother's love, sheer fortitude, resource capacity, and because Abdallah loves his mother and wants to be with her. How many other abducted children feel the same, but whose parents don't have similar means, support, or wherewithal to fight for their children's returns through costly engagements with two or more governments, language barriers, and fragmented or nonexistent government response? We need to answer this question with research and with action.

To that point, and before I offer recommendations for improving federal performance to aid victimized American children and their families, please permit me speak of one more parent. Astrid Johnson, a mother in the audience with us today, is still on this treadmill. Astrid's unflagging quest to reunite with her daughters, Charlotte and Georgia, who were abducted to and retained in Dubai, United Arab Emirates in August 2021 by their father after a planned trip for summer vacation.

From June 3, 2021 up until this very moment, Astrid has done all everything she can—expending her resources, obtaining an international kidnapping warrant, and achieving favorable rulings in Dubai. The Dubai courts rejected the father's unfounded custody petitions and further ruled that it had no jurisdiction to hear the case. It's my understanding that federal marshals are standing by, ready to travel and execute the warrant.

Yet, even with these mechanisms in place, the pace of federal action and response to reunite her children has been too slow. Time remains the number one enemy of internationally abducted children. As the Ms. Johnson case indicates, inaction or slow action by the very entities charged with assisting this vulnerable population is enemy number two.

Mr. Chairman, when the Goldman Act was signed into law in 2014, we had tempered expectations for its full and aggressive implementation. Over the past nine years however, even our most measured expectations for the State Department to fulfill its mandates have been disappointed. Instead, our children remain kidnapped to foreign nations, separated from their seeking parent and extended families, and parents remain on the treadmill—driven by love for their children, and a hope that our government will be true to what it says it will do for both. Mr. Chairman, it's time now to amend the Goldman Act to bring abducted children home.

I respectfully offer the following recommendations to improve federal response, prevent international parental child abductions, and reunite children with loving parents and families:

Recommendation 1: Give Congress greater authority and oversight capabilities to respond to and aid constituent requests.

- Currently, the law mandates a written notification to Members of Congress, Senators, and delegates of all cases reported by a parent to the US Central Authority.
- When the Goldman Act was signed into law in 2014, the State Department only reported on new cases and when the parent signed a privacy waiver. It did not encourage parents to sign the privacy waiver.
- We've observed the State Department to assert there is not a waiver on file in cases when they are known to be on file.
- Even if a parent is aware and elects not to sign the privacy waiver numerical data can and should be shared.
- Members of Congress should have all the information necessary to represent their most vulnerable constituents.

Recommendation 2: Fund research on International Parental Child Abduction, governmental performance, and impacts on children and families.

- Appropriate and authorize studies by an appropriate non-governmental organization on the grave harm to abducted children and left-behind parents as a result of international parental child abduction.
- IPCA is an under-studied public policy problem. A lack of rigorous, contemporary research and publicly available information on this phenomenon contributes to low

issue saliency, low return rates for internationally-abducted children, and fragmented governmental response leading to inadequate and conflicting policy and program outcomes.

- This research gap also constrains policy makers, limits effective stakeholder prevention and response, incentivizes nations to be noncompliant in returning abducted children, and inhibits families' efforts to reunite with their abducted children. Congress should authorize and appropriate funding to close the knowledge gap, identify and correct implementation failures, and generate new policy solutions for victimized children and families.

Recommendation 3: Fund training across relevant sectors to effectively educate and prepare responders, the legal community to consistently uphold the rule of law concerning internationally kidnapped children and victimized families.

- Appropriate and authorize training of domestic and foreign family law, judges and law enforcement on the harm of international parental child abduction and prevention.
- Fund high-quality, creative, flexible and cost-effective education and training programs that increase individual and organizational capacity to prevent and resolve abductions.

Recommendation 4: Help parents wage and win this costly battle to reunite with their victimized, internationally kidnapped children.

- Amend the Victims of Crime Act to include international parental child abduction and make legal expenses from the crime victims fund available for parents in attempting to repatriate their children.

These recommendations, and those of my fellow panelists, provide Congress with a way forward, and robust recommendations to amend existing law to better support children and families and to bring abducted children home, as the title of the hearing so aptly states. Thank you again for this great privilege. I welcome questions from the Committee.